

Sentence Review Division
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SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA

STATE OF MONTANA,)	Cause No. DC-13-220
)	
Plaintiff,)	Ravalli County District Court
)	Montana Twenty-First Judicial District
)	
-vs-)	DECISION
)	
MATTHEW DAVID SHERMAN,)	
Defendant.)	

On April 3, 2015, the Defendant was sentenced to the Montana State Prison for one hundred (100) years for the offense of Count I: Criminal Possession of Dangerous Drugs with the Intent to Distribute, a Felony, in violation of §45-9-103(2), MCA. For Count II: Criminal Possession of Dangerous Drugs, a Felony, in violation of §45-9-102(4), MCA, the Defendant was sentenced to the Montana State Prison for one hundred (100) years, to run concurrently with Count I. For Count III: Criminal Possession of Dangerous Drugs, a Misdemeanor, in violation of §45-9-102(2), MCA, the Defendant was committed to the Ravalli County Detention Center for six (6) months, with credit for six (6) months served. The Defendant was designated a persistent felony offender. The Defendant was ordered to forfeit the \$1,454.00 seized during the investigation to the Ravalli County Sheriff's Office Drug Fund. The Defendant received credit for 523 days for time served.

On November 8, 2019, the Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division"). The Defendant was present and was represented by Stephanie DeBoer, Defense Counsel. The State was represented by Ravalli County Deputy Attorney Thorin Geist.

Before hearing the Application, the Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant was further advised that there is no appeal from a decision of the Division. The Defendant acknowledged that he understood this and stated that he wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive. Therefore, it is the unanimous decision of the Division that the sentence is **AFFIRMED**.

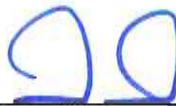
Done in open Court this 8th day of November, 2019.

DATED this 11th day of December, 2019.

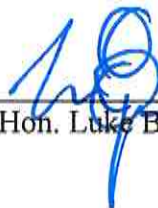
SENTENCE REVIEW DIVISION



Hon. Brenda Gilbert, Chairperson




Hon. Dan Wilson, Member



Hon. Luke Berger, Member

Copies mailed this 13th day
of December, 2019, to:

Clerk of District Court (Original)
Matthew David Sherman #3016029, Defendant (2)
Hon. Jeffrey Langton
Stephanie DeBoer, Defense Counsel
Thorin Geist, Esq.
Board of Pardons and Parole
MSP - Records Dept.


Georgia Lovelady, Judicial Assistant
Sentence Review Division